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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

MICHAEL KLIMENTIEV,

Plaintiff,

v.

Department of Homeland Security,
 MICHAEL CHERTOFF, Secretary, et al.,

Defendants.

No. C 08-0911 MMC

**STIPULATION TO DISMISS and
~~PROPOSED~~ ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and agrees to adjudicate such application within 30 days of the dismissal of this action.

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Stipulation to Dismiss
 C 08-0911 MMC

Each of the parties shall bear their own costs and fees.

Date: April 11, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
ILA C. DEISS¹
Assistant United States Attorney
Attorneys for Defendants


Date: April 9, 2008

/s/
GERI N. KAHN
Attorney for Plaintiff

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: April 14, 2008


MAKINE M. CHESNEY
United States District Judge

¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.